



Setti D. Warren
Mayor

Newton Parks & Recreation Commission
Meeting Minutes
City Hall, Room 209, 7:00pm
January 24, 2011



Robert J. DeRubeis
Commissioner

Attending: Arthur Magni, *Chairman*, Kathleen Heitman, *Vice-Chair*, Bob DeRubeis, *Commissioner*, Walter Bernheimer, Peter Johnson, Andrew Stern, Richard Tucker, Fran Rice, Bethel Charkoudian, Michael Clarke, Don Fishman, Peter Kastner, Jack Neville, Robin McLaughlin, *Secretary*

Also Attending: Alderman Sangiolo

Meeting called to order at 7:00pm

1. Off-leash Dog Recreation Areas – Fees

- Chairman Magni introduced Alderman Sangiolo who was invited to the meeting to have a discussion on fees for the off-leash areas. Alderman Sangiolo stated the off-leash fees were brought before the Programs & Services Committee (P & S) on October 6, 2010 and will be before P & S again on February 9, 2011. P & S is still waiting for a ruling from the Law Department on whether fees may be charged.
- Commissioner DeRubeis commented Marie Lawlor, Assistant City Solicitor has sent a memo to the Commission stating the City may charge fees for the off-leash areas if:
 - Assessed for a specific government purpose
 - Person assessed can decline service
 - Fee paid is to compensate city for its costs, which must be reasonable and documented
 - Land that received federal funding/grants. In reviewing the Land and Water Conservation Fund Manual. It is permissible to charge a fee on land that has received federal funds/grants, fees charged to non-residents cannot exceed twice that of residents.
 - Charging a fee will impact the Recreational Use Statute. There are other defenses the City can utilize dependent on the situation.
- Mr. Bernheimer stated the proposed fees have not changed since first proposed in October 2010. The fees proposed are:
 - The current fees proposed are \$50.00 for residents and \$100.00 for non-residents.
 - Newton professional dog walker company fee: \$250 for first medallion and \$75 each additional medallion. Non-Newton professional dog walker company fee: \$350.00 for the first medallion and \$100.00 each additional medallion.
- Alderman Sangiolo stated the Board of Aldermen sets fees, if the Commission wants to make any changes, the changes must be submitted before the February 9th P & S meeting.

- Alderman Sangiolo stated fees are a good idea to help with the maintenance of the areas. The P & S committee likes the idea of fees but did have a few questions:
 1. If a resident hires a dog walker to take their dog to the off-leash areas, do they also need to also pay the resident fee? Commissioner DeRubeis stated the resident only pays the resident fee if they wish to take their dog to the off-leash area themselves.
 2. What is the money being used for and how will the money be spent?
 3. Will fees be used for additional enforcement? Commissioner DeRubeis stated this has been discussed. Possibly a part-time enforcement officer may be hired.
- Mr. Bernheimer inquired if the enforcement officer would be located in the off-leash areas only. Commissioner DeRubeis stated any fees used to pay for enforcement must strictly be used for off-leash areas.
- Mr. Bernheimer asked if enough money could be raised through fees. Mr. McIntyre stated if there are more sites on-line, more medallions would be purchased.
- Commissioner DeRubeis stated most of the issues occur outside the off-leash areas, an example is Old Cold Spring Park off-leash area. The violations occur on the trails, outside the off-leash area.
- Alderman Sangiolo asked if there had been discussion on raising the dog license fee. Commissioner DeRubeis responded yes, but the license fee is not under the purview of the P & R Commission and David Olson, City Clerk is not inclined to raise the current fee, the fee is similar to those in surrounding communities. Compliance is an issue and raising the fee may cause less compliance.
- Chairman Magni thanked Alderman Sangiolo and asked the Commission members if there should be any changes to the fees structure.
- Mr. Johnson asked where the money from violations will go. Commissioner DeRubeis believes violation fees go into the general fund.
- Mr. Kastner stated using park rangers could be a police union issue.
- Mr. Tucker stated notification of the off-leash area fee will be sent out with the dog license renewal forms. How will those that do not receive the license form, be notified. This could be handled with public relations.
- Chairman Magni stated the fees will go to P & S as previously submitted. The group came to a consensus, the fees will remain as previously proposed:
 - The current fees proposed are \$50.00 for residents and \$100.00 for non-residents.
 - Newton professional dog walker company fee: \$250 for first medallion and \$75 each additional medallion. Non-Newton professional dog walker company fee: \$350.00 for the first medallion and \$100.00 each additional medallion.
- Mr. Kastner asked for an update on the Norumbega Proposal. Commissioner DeRubeis stated the Norumbega Park off-leash proposal is going back before the Conservation Commission in February.

2. Meeting Minutes –December 20, 2010

- Accepted 8-0

3. Commissioner's Reports on Programs, Forestry and Maintenance

- Commissioner DeRubeis commented the P & R Department Snapshot format is being updated to reflect the RecStat information. The new format will be completed for the February 28th Commission meeting.
- Commissioner DeRubeis reviewed the winter recreation programs at NSHS and NNHS. NNHS pool has programs running from the NNHS, NSHS and the Swim Team; some residents have been upset they do not have more access to the pool. Mr. Fishman inquired if putting a bubble over the Gath Pool has been considered. Commissioner DeRubeis stated yes, the cost would be ~ 2 million dollars, and Gath Pool is in poor condition there would need to be some repairs/reinforcement done in the pool area.
- The Camp Fair is being co-sponsored with the School Department and is being held at NNHS from 1pm-6pm on Sunday, January 30.
- Forestry has had over 180 calls due to downed limbs and trees during the recent snow storm.
- The snow ordinance did not pass in the Programs & Services Committee or Public Facilities Committee. The ordinance still has to go before the Finance Committee and the Full Board of Aldermen. Parks and Recreation has been the administrator for the snow shovellers list which has 176 names on the list. There is also a volunteer shoveler list, when residents call requesting a volunteer shoveler they are referred to either the Senior Center or Health Department depending on their age.
- The Canoe & Kayak program was a success this summer at Nahanton Park. Charles River Canoe & Kayak have submitted a financial report. There is a Request for Proposal (RFP) out now for a kayak and canoe program at Nahanton Park next season. The proposals are due in to the Purchasing Department by February 3.
- The Nahanton Park Working Group is having a meeting with Jeff Collins of the Mass Audubon Extension Group who is leading the Nahanton Park Natural Resources Inventory and Management Project. The meeting will take place on Wednesday, March 2 at 7pm in Drukers Auditorium in the Main Library. Abutters and interested groups will be notified of the meeting.

4. Elections

- Mr. Bernheimer made the motion to re-elect Arthur Magni as Chairman and Kathleen Heitman as Vice-Chairman of the Parks & Recreation Commission. Mr. Rice seconded the motion. Motion passed 8-0.

5. New Business

- Commissioner DeRubeis commented the following items is going before the Board Of Aldermen and the Parks & Recreation Commission has been asked to review and comment:

#8-09 ALD. HESS-MAHAN, LINSKY, ALBRIGHT, FREEDMAN, MANSFIELD, JOHNSON, HARNEY & VANCE proposing an ordinance requiring that the installation of synthetic in-filled turf athletic fields on city-owned property shall use sustainable, recyclable, lead-free, non-toxic products to the maximum extent feasible. [12/30/08 @ 9:55 AM]

- The issue is with the crumb rubber used in the synthetic turf, they are looking for an alternative material.
- Mr. Kastner recommended removing the word "maximum". Maximum equals expensive materials, which could cost the City a lot of money. Mr. Bernheimer agreed.
- Ms. Charkoudian inquired if the current synthetic fields are lead filled and toxic. Mr. Fishman stated it is unclear. Mr. Stern agreed the science is unclear.
- Mr. Clarke commented EPA standards allow for 8% of lead in lead free brass used for household water pipes. Lead free needs to be defined.
- Commissioner DeRubeis commented equipment was purchased specifically for maintenance of the crumb rubber. It would need to be determined if the current equipment could be used with different products.
- The final comments from the Commission on Item #8-09:
 1. Is this ordinance really necessary?
 2. If it is necessary will existing synthetic turf fields be grandfathered into the ordinance?
 3. Remove the word 'maximum' from the ordinance

Meeting Adjourned at 8:28 pm

Respectfully submitted,

Robin McLaughlin, Secretary